

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

**GARY E. RIDENS and
GERALDINE RIDENS,**

Plaintiffs,

VS.

NO.

**STATE FARM FIRE AND
CASUALTY COMPANY,**

JURY DEMAND

Defendant.

NOTICE OF REMOVAL

Defendant State Farm Fire and Casualty Company, ("State Farm"), hereby notifies the Judges of the United States District Court for the Eastern District of Tennessee, the Clerk of the Chancery Court of Sevier County, Tennessee and Plaintiffs, Gary E. Ridens and Geraldine Ridens, that the action described herein and filed in the Chancery Court of Sevier County, Tennessee, is removed to the United States District Court for the Eastern District of Tennessee, Knoxville Division pursuant to 28 U.S.C. § 1441.

1. On March 27, 2015, Plaintiffs, Gary E. Ridens and Geraldine Ridens, filed a civil action bearing Docket No. 15-3-110 against the Defendant, State Farm, in the Chancery Court of Sevier County, Tennessee. Service of the complaint and summons was made upon CT Corporation, the designated statutory agent of the Defendant, through the Commissioner of Insurance on March 31, 2015, however, as of the date of this filing State Farm Fire and Casualty Company has not received the physical copy from the Commissioner of Insurance for the State of Tennessee. State Farm Fire and Casualty

Company reserves the right to assert any and all affirmative defenses and by filing this removal does not waive any such defenses, including those under Rule 12 of the Federal Rules of Civil Procedure.

2. This action is filed by Plaintiffs for proceeds allegedly due under a contract of insurance written by Defendant State Farm and insuring Plaintiffs' real property and contents in Sevier County, Tennessee which was allegedly destroyed by a fire occurring on or about September 23, 2013. Plaintiffs also make claims of statutory bad faith.

3. Petitioner seeks removal of this action to this Court upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-five Thousand Dollars (\$75,000.00), exclusive of the interest and costs, 28 U.S.C. § 1332. Specifically, the complaint demands damages in the amount of \$1,700,000.00, plus a 25% penalty for bad faith.

4. Plaintiff, Gary Ridens, is a resident and citizen of the State of Tennessee and was a citizen of the State of Tennessee at the time of the filing of this action and at the time of removal. Plaintiff, Geraldine Ridens, is a resident and citizen of the State of Tennessee and was a citizen of the State of Tennessee at the time of the filing of this action and at the time of removal. Defendant State Farm is a corporation incorporated in Illinois, with its principal place of business in Bloomington, IL. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs.

5. This notice is filed within the time prescribed by 28 U.S.C. §1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon the Defendant, is attached hereto.

WHEREFORE, Notice is hereby given that the said civil action number 15-3-110 is removed from the Chancery Court of Sevier County, Tennessee, to this Court.

Respectfully submitted,

RAINEY, KIZER, REVIERE & BELL, P.L.C.

s/ Russell E. Reviere

Russell E. Reviere (BPR No. 07166)

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was forwarded first class U.S. Mail, postage prepaid to Terrill L. Adkins and Andrew J. Lewis, Trammell, Adkins & Ward, P.C., P.O. Box 51450, Knoxville, Tennessee 37950, counselor of record for Plaintiffs, and by electronic means via the Court's electronic filing system.

This the 24th day of April, 2015.

s/ Russell E. Reviere